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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

PUBLISHERS BUSINESS SERVICES,
INC., et al.,

Defendants.

Case No. 2:08-cv-00620-APG-GWF

ORDER

JOINT STATUS REPORT RE
SETTLEMENT NEGOTIATIONS
AND THIRD STIPULATED
REQUEST FOR EXTENSION OF
TIME TO COMPLY WITH AUGUST
5, 2021 ORDER ON MANDATE
[DOCKET #344];

Plaintiff Federal Trade Commission (“FTC”) and Defendants Publishers Business Services, Inc., Ed Dantuma Enterprises, Inc., Dirk Dantuma, Dries Dantuma, Jeffrey Dantuma, and Brenda Dantuma Schang (“Defendants”) hereby submit a Joint Status Report, pursuant to the Court’s October 8, 2021 Order on the parties’ “Second Stipulated Request for Extension of Time to Comply with August 5, 2021 Order on Mandate” (docket #348). In addition, the parties respectfully stipulate and request that the Court extend the deadline for the parties to comply

1 with the Court's August 5, 2021 Order (docket #344) from December 14, 2021 to
2 March 8, 2022. This is the parties' third requested extension of time.

3 On June 10, 2021, the Ninth Circuit issued a judgment affirming in part,
4 vacating in part, and remanding the Judgment of this Court in the above-captioned
5 action. On August 5, 2021, this Court entered an Order (docket #344) consistent
6 with the Ninth Circuit's mandate and ordering the parties, Plaintiff Federal Trade
7 Commission and Defendants Publishers Business Services, Inc., Ed Dantuma
8 Enterprises, Inc., Dirk Dantuma, Dries Dantuma, Jeff Dantuma, and Brenda
9 Dantuma Schang, to confer about a Stipulated Judgment resolving this case. The
10 Order requires the parties to file, by August 31, 2021, an appropriate stipulation, or
11 if they cannot agree, joint or separate briefs explaining the areas of disagreement
12 and a proposed briefing schedule on all remaining issues. On August 26, 2021, the
13 Court granted the parties' "First Stipulated Request for Extension of Time to
14 Comply with August 5, 2021 Order on Mandate" (docket #346), allowing the
15 parties to file this Joint Status Report by October 12, 2021. On October 8, 2021,
16 the Court granted the parties' "Second Stipulated Request for Extension of Time to
17 Comply with August 5, 2021 Order on Mandate" (docket #348).

18 In accordance with the Court's August 5, 2021 Order, the parties have
19 engaged in good faith, meaningful settlement discussions, which are ongoing. The
20 parties have made substantial progress in settlement negotiations but need
21 additional time to try to reach an agreement. Before the FTC can present a
22 proposed settlement agreement to the Court, any proposed settlement will need to
23 be reviewed and approved by the FTC's Bureau of Consumer Protection and then
24 by a majority vote of the Federal Trade Commission.

25 Counsel for the parties anticipate that a twelve-week extension of time will
26 be sufficient to determine whether the parties can settle this matter or will need to
27 file briefs on areas of disagreement. The parties thus respectfully request an
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1 extension of time through and including March 8, 2022 for the filing of a status
2 report on the progress of their settlement negotiations.

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4 Respectfully submitted,

5 Dated: December 13, 2021

6 FEDERAL TRADE COMMISSION
7 /s/ Faye Chen Barnouw
8 Faye Chen Barnouw
9 Maricela Segura
10 Attorneys for Plaintiff
11 Federal Trade Commission

Dated: December 13, 2021

HOMER BONNER
/s/ Peter W. Homer
Peter W. Homer
Attorney for Defendants
Publishers Business Services, Inc., Ed
Dantuma Enterprises, Inc., Dirk
Dantuma, Dries Dantuma, Jeff
Dantuma, and Brenda Dantuma Schang

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13 IT IS SO ORDERED:

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15 HONORABLE ANDREW P. GORDON
16 UNITED STATES DISTRICT JUDGE

17 DATED: December 14, 2021
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